

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BUTTE DIVISION

FILED

DEC 17 2018

Clerk, U.S. District Court
District Of Montana
Helena

CENTER FOR BIOLOGICAL
DIVERSITY; WESTERN
WATERSHEDS PROJECT; GEORGE
WUERTHNER; PAT MUNDAY,

Plaintiffs,

vs.

RYAN ZINKE¹, Secretary, U.S.
Department of the Interior, in his
official capacity; JIM KURTH, Acting
Director, U.S. Fish and Wildlife
Service, in his official capacity; and
UNITED STATES FISH AND
WILDLIFE SERVICE,

Defendants.

No. CV 15-4-BU-SEH

ORDER

On August 17, 2018, the United States Court of Appeals for the Ninth
Circuit issued its Opinion remanding this case back with "directions to remand to

¹The case caption is amended as shown above, to reflect the substitution of Defendants Secretary of the Interior Zinke and Acting Director of U.S. Fish and Wildlife Service Kurth in place of former Secretary of the Interior Jewell and former Director of U.S. Fish and Wildlife Service Ashe. Fed. R. Civ. P. 25(d)(1).

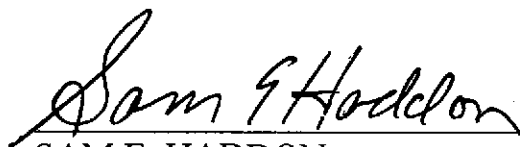
FWS to reassess the 2014 Finding in light of [the] opinion.”² Mandate issued on December 7, 2018.³

On December 11, 2018, the parties filed a Joint Motion to Enter Stipulated Remedy Order.⁴

ORDERED:

The Court hereby remands the 2014 12-month Finding on the Upper Missouri River Valley Distinct Population Segment of Arctic Grayling to the U.S. Fish and Wildlife Service (“Service”) and orders the Service shall make one of the findings set forth in 16 U.S.C. § 1533(b)(3)(B)(i)-(iii) for the Upper Missouri River Valley Distinct Population Segment of Arctic Grayling and submit such finding to the Office of the Federal Register no later than July 1, 2020.

DATED this 17th day of December, 2018.



SAM E. HADDON
United States District Judge

² Doc. 58 at 40.

³ Doc. 60.

⁴ Doc. 61.